

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

November 14, 2008

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Kauai

Forfeiture of Revocable Permit No. S-6040, John K. Hashimoto and Junedale U.  
Hashimoto, Permittee, Anini, Hanalei, Kauai Tax Map Key: (4) 5-3-07:5

PURPOSE:

Forfeiture of Revocable Permit No. S-6040, John K. Hashimoto and Junedale U.  
Hashimoto, Permittee.

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Hanalei situated at Anini, Hanalei, Kauai, identified by  
Tax Map Key: (4) 5-3-07:5, as shown on the attached map labeled Exhibit A.

AREA:

1.735 acres, more or less.

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CHARACTER OF USE:

Single-family residential.

COMMENCEMENT DATE OF PERMIT:

Commenced on August 16, 1983.

MONTHLY RENTAL:

\$3,556.00

BACKGROUND:

On November 16, 2007, under Item D-1, the Board approved and amended the annual renewal of month-to-month revocable permits Statewide effective January 1, 2008. Revocable Permit No. S-5384 was deleted from the listing. This was based on testimony from Mr. Chris Racine concerning alleged violations by Mauna Kea Broadcasting. Namely, deferred maintenance, non-payment of State income taxes and not registering with the DCCA. Mr. Racine also indicates the current permit rent is far below market and that Mauna Kea Broadcasting is collecting large sums in sublease rents from shared tower space.

In a letter dated November 19, 2007, staff notified John and Junedale Hashimoto that Revocable Permit S-6040 would not be renewed because there was substantial delinquency - \$7,112 (over 60 days) and \$3,556 (over 30 days).

By letter dated August 26, 2008 the Hashimoto's were informed of the rent deficiency and that they continued to occupy the State property without proper authorization. Our letter gave the Hashimoto's 45 (forty-five) days to vacate the premises which expired on October 11, 2008.

ANALYSIS:

The authority for the issuance of month-to-month revocable permit is: **§171-55 Permits.** Notwithstanding any other law to the contrary, the board of land and natural resources may issue permits for the temporary occupancy of state lands or an interest therein on a month-to-month basis by direct negotiation without public auction, under conditions and rent which will serve the best interests of the State, subject, however, to those restrictions as may from time to time be expressly imposed by the board. A permit on a month-to-month basis may continue for a period not to exceed one year from the date of its issuance; provided that the board may allow the permit to continue on a month-to-month basis for additional one year periods. [L 1962, c 32, pt of §2; Supp. §103A-52; am L 1967, c 234, §11; HRS §171-55; am L 1990, c 90, §1]

Due to the rent deficiency of Revocable Permit No. S-6040, staff could not recommend to the Land Board renewal of the permit for another year (January 1, 2008 to December 31, 2008).

Staff notified the Hashimoto's. On November 30, 2007, the Hashimoto's submitted a \$3,556 rent payment. Which was applied to August 2007 rent!

Normally, if a permittee cures the deficiency, staff would bring the revocable permit back to the Land Board for renewal – in January or February. Staff was unable to do so, for this permittee. The payment history in 2007 is dismal. The Hashimoto's have tried to make nine rent payments totaling \$28,448. They fell behind and did not pay rent for April 2007, May 2007, June 2007, July 2007, and August 2007. They then tried to catch up again in July 2007 by submitting two \$3,556 checks. Yet at the end of December 2007, they still owed the State \$14,224 in back rent.

The payment history in 2008 is worse. The Hashimoto's can never become a tenant in good standing. Staff can never recommend to the Land Board this permit should be renewed. Despite the Hashimoto's inability to make current the rent, our staff has allowed the Hashimoto's to continue occupancy - 8 months. In the hope that the Hashimoto's would make current the rent.

In 2006, we know that former Mayor Bryan Baptiste and former Representative Ezra Kanoho tried to work out a solution whereby the County of Kauai would request a set aside for park purposes. This would allow the Hashimoto's to continue living at the property as a caretaker. It is our understanding the Hashimoto's refused.

As of this date, the Hashimoto's continue to occupy the State property as an unauthorized holdover. Try as they could, the Hashimoto's have been unable to bring the rent current. The State has given the Hashimoto's, more than 8 months to resolve the delinquency.

In conclusion, staff is requesting authorization to cancel Revocable Permit No. S-6040 and if necessary, remove the Hashimoto's from the State property.

A copy of the submittal was sent to the Hashimoto's.

RECOMMENDATION: That the Board:

1. Authorize the cancellation of Revocable Permit No. S-6040 in the manner specified by law;
2. Authorize the retention of all sums heretofore paid or pledged under Revocable Permit No. S-6040 to be applied to any past due amounts;
3. Terminate the permit and all rights of Permittee and all obligations of the Permitter effective as of December 31, 2008, provided that any and all obligations of the Permittee which have accrued up to said effective date or which are stated in the

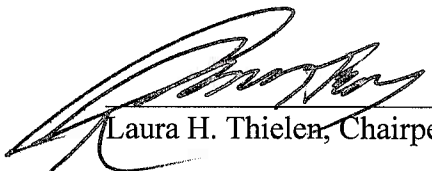
lease to survive termination shall endure past such termination date until duly fulfilled, and further provided that Permittor reserves all other rights and claims allowed by law; and


4. Authorize the Department of the Attorney General, the Department of Land and Natural Resources, or their agents to collect all monies due the State of Hawaii under Revocable Permit No. S-6040 and to pursue all other rights and remedies as appropriate.
5. The Permittee shall have until **December 31, 2008** to vacate the property. If the property is not vacated by December 31, 2008 the State will commence eviction action, including confiscating any items remaining on the premises.

Respectfully Submitted,

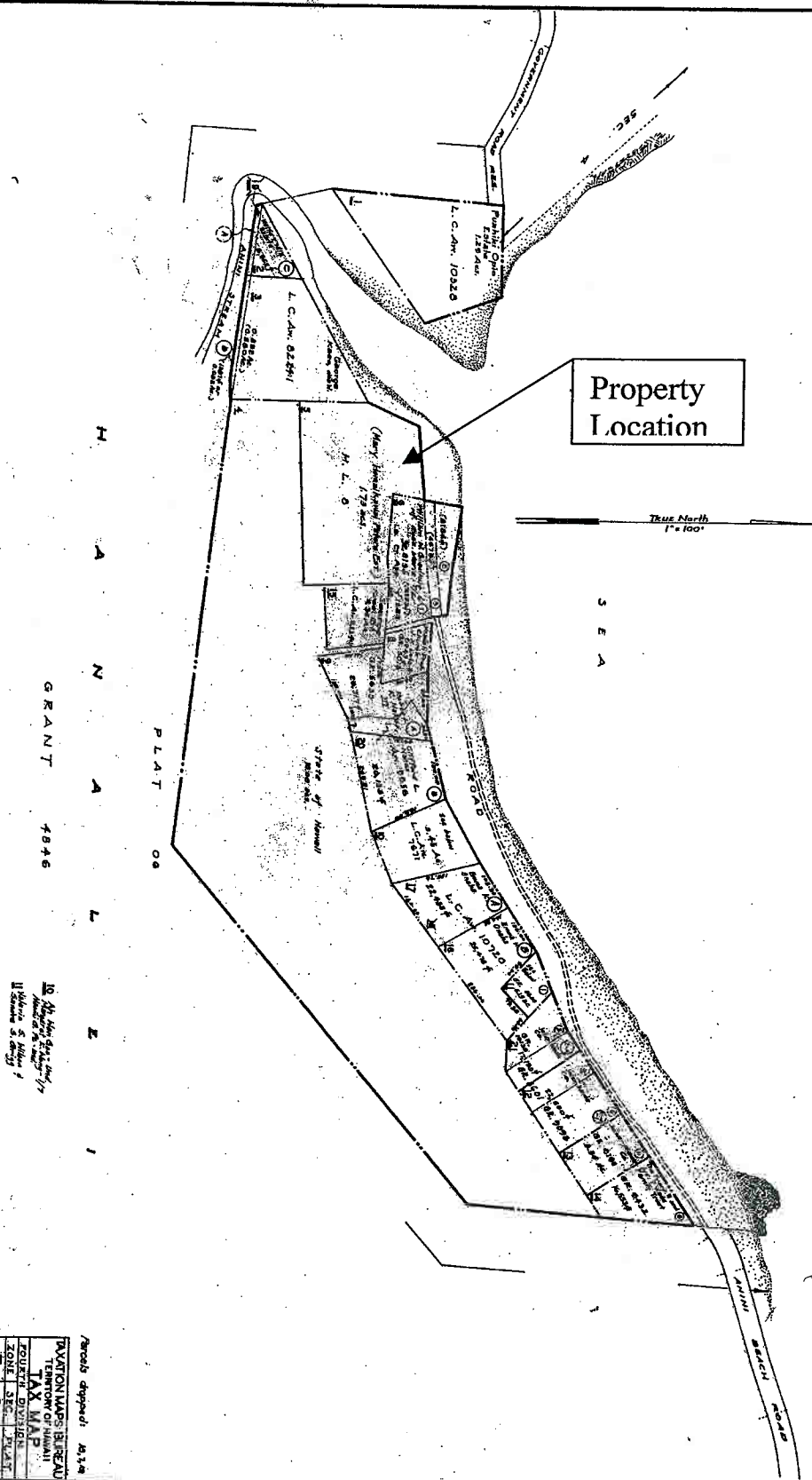
  
\_\_\_\_\_  
Thomas Oi  
Kauai District Land Agent

APPROVED FOR SUBMITTAL:

  
\_\_\_\_\_  
Laura H. Thielen, Chairperson



ANINI - HANAIEI - KAUAI



Records deposited 10/14

**NATIONAL BUREAU**  
OF LAND  
TAX MAP

FOURTH DIVISION  
ZONE 1 SEC. PLAT

5 3 07

COPYING 7.00 PER PAGE

EXHIBIT A

**Tenant Ledger**  
**rp6040**  
**JOHN K. & JUNEDALE HASHIMOTO**  
**P.O. BOX 22**

Date	Ref. #	App To	Billing Period	Description	Charges	Payments	Balance
11/01/2000	C-1612	Total Chg.	:Load	[11/01/00 Balance Forward] SECURITY	450.00		450.00
	R-450		Received: 11/01/2000	DEPOSIT BEGINNING BALANCE		450.00	
11/01/2000	C-2608	Total Chg.	0001204 11/01/2000	11/01/00 BALANCE FORWARD	500.00		950.00
	R-1576		Received: 12/04/2000	CR00041 PAYMENT		500.00	
11/01/2000	R-450	Total Rcpt.		DEPOSIT BEGINNING BALANCE		450.00	500.00
12/04/2000	R-1576	Total Rcpt.		CR00041 PAYMENT		500.00	0.00
01/01/2001	C-3409	Total Chg.	01/01/2001 - 01/31/2001	RENT - UNLEASED PUBLIC LANDS (0	500.00		500.00
	R-4525		Received: 01/08/2001	CR00025 PAYMENT		500.00	
01/08/2001	R-4525	Total Rcpt.		CR00025 PAYMENT		500.00	0.00
02/01/2001	C-4940	Total Chg.	02/01/2001 - 02/28/2001	RENT - UNLEASED PUBLIC LANDS (0	500.00		500.00
	R-7234		Received: 02/08/2001	CR00009 PAYMENT		500.00	
02/08/2001	R-7234	Total Rcpt.		CR00009 PAYMENT		500.00	0.00
03/01/2001	C-6300	Total Chg.	03/01/2001 - 03/31/2001	RENT - UNLEASED PUBLIC LANDS (0	500.00		500.00
	R-10186		Received: 03/13/2001	CR00009 PAYMENT		500.00	
03/13/2001	R-10186	Total Rcpt.		CR00009 PAYMENT		500.00	0.00
04/01/2001	C-8000	Total Chg.	04/01/2001 - 04/30/2001	Rentals, Temporary Permits (04/2001	500.00		500.00
	R-11560		Received: 04/04/2001	CR00029 PAYMENT		500.00	
04/04/2001	R-11560	Total Rcpt.		CR00029 PAYMENT		500.00	0.00
05/01/2001	C-9514	Total Chg.	05/01/2001 - 05/31/2001	Rentals, Temporary Permits (05/2001	500.00		500.00
	R-13677		Received: 05/03/2001	CR00009 PAYMENT		500.00	
05/03/2001	R-13677	Total Rcpt.		CR00009 PAYMENT		500.00	0.00
06/01/2001	C-11069	Total Chg.	06/01/2001 - 06/30/2001	Rentals, Temporary Permits (06/2001	500.00		500.00
	R-15800		Received: 06/05/2001	CR00013 PAYMENT		500.00	
06/05/2001	R-15800	Total Rcpt.		CR00013 PAYMENT		500.00	0.00
07/01/2001	C-12625	Total Chg.	07/01/2001 - 07/31/2001	Rentals, Temporary Permits (07/2001	500.00		500.00
	R-18504		Received: 07/06/2001	CR00011 PAYMENT		500.00	
07/06/2001	R-18504	Total Rcpt.		CR00011 PAYMENT		500.00	0.00
08/01/2001	C-14111	Total Chg.	08/01/2001 - 08/31/2001	Rentals, Temporary Permits (08/2001	500.00		500.00
	R-20686		Received: 08/07/2001	CR00010 PAYMENT		500.00	
08/07/2001	R-20686	Total Rcpt.		CR00010 PAYMENT		500.00	0.00
09/01/2001	C-15530	Total Chg.	09/01/2001 - 09/30/2001	Rentals, Temporary Permits (09/2001	500.00		500.00
	R-23025		Received: 09/06/2001	CR00022 PAYMENT		500.00	
09/06/2001	R-23025	Total Rcpt.		CR00022 PAYMENT		500.00	0.00
10/01/2001	C-16889	Total Chg.	10/01/2001 - 10/31/2001	Rentals, Temporary Permits (10/2001	500.00		500.00
	R-25037		Received: 10/01/2001	CR00038 PAYMENT		500.00	
10/01/2001	R-25037	Total Rcpt.		CR00038 PAYMENT		500.00	0.00
11/01/2001	C-18484	Total Chg.	11/01/2001 - 11/30/2001	Rentals, Temporary Permits (11/2001	500.00		500.00
	R-27522		Received: 11/05/2001	CR00029 PAYMENT		500.00	
11/05/2001	R-27522	Total Rcpt.		CR00029 PAYMENT		500.00	0.00
12/01/2001	C-20035	Total Chg.	12/01/2001 - 12/31/2001	Rentals, Temporary Permits (12/2001	500.00		500.00
	R-29446		Received: 12/05/2001	CR00020 PAYMENT		500.00	
12/05/2001	R-29446	Total Rcpt.		CR00020 PAYMENT		500.00	0.00
01/01/2002	C-21899	Total Chg.	01/01/2002 - 01/31/2002	Rentals, Temporary Permits (01/2002	500.00		500.00
	R-31850		Received: 01/09/2002	CR00010 PAYMENT		500.00	
01/09/2002	R-31850	Total Rcpt.		CR00010 PAYMENT		500.00	0.00
02/01/2002	C-23282	Total Chg.	02/01/2002 - 02/28/2002	Rentals, Temporary Permits (02/2002	500.00		500.00
	R-33890		Received: 02/05/2002	CR00013 PAYMENT		500.00	



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Date	Ref. #	App To	Billing Period	Description	Charges	Payments	Balance
02/05/2002	R-33890	Total Rcpt.		CR00013 PAYMENT		500.00	0.00
03/01/2002	C-24723	Total Chg.	03/01/2002 - 03/31/2002	Rentals, Temporary Permits (03/2002)	500.00		500.00
	R-36568		Received: 03/11/2002	CR00006 PAYMENT		500.00	
03/11/2002	R-36568	Total Rcpt.		CR00006 PAYMENT		500.00	0.00
04/01/2002	C-26182	Total Chg.	04/01/2002 - 04/30/2002	Rentals, Temporary Permits (04/2002)	500.00		500.00
	R-38452		Received: 04/03/2002	CR00018 PAYMENT		500.00	
04/03/2002	R-38452	Total Rcpt.		CR00018 PAYMENT		500.00	0.00
05/01/2002	C-27764	Total Chg.	05/01/2002 - 05/31/2002	Rentals, Temporary Permits (05/2002)	500.00		500.00
	R-40877		Received: 05/03/2002	CR00014 PAYMENT		500.00	
05/03/2002	R-40877	Total Rcpt.		CR00014 PAYMENT		500.00	0.00
06/01/2002	C-29257	Total Chg.	06/01/2002 - 06/30/2002	Rentals, Temporary Permits (06/2002)	500.00		500.00
	R-43155		Received: 06/05/2002	CR00032 PAYMENT		500.00	
06/05/2002	R-43155	Total Rcpt.		CR00032 PAYMENT		500.00	0.00
07/01/2002	C-31024	Total Chg.	07/01/2002 - 07/31/2002	Rentals, Temporary Permits (07/2002)	500.00		500.00
	R-45711		Received: 07/03/2002	CR00009 PAYMENT		500.00	
07/03/2002	R-45711	Total Rcpt.		CR00009 PAYMENT		500.00	0.00
08/01/2002	C-32597	Total Chg.	08/01/2002 - 08/31/2002	Rentals, Temporary Permits (08/2002)	500.00		500.00
	R-48014		Received: 08/05/2002	CR00065 PAYMENT		500.00	
08/05/2002	R-48014	Total Rcpt.		CR00065 PAYMENT		500.00	0.00
09/01/2002	C-33874	Total Chg.	09/01/2002 - 09/30/2002	Rentals, Temporary Permits (09/2002)	500.00		500.00
	R-50300		Received: 09/09/2002	CR00024 PAYMENT		500.00	
09/09/2002	R-50300	Total Rcpt.		CR00024 PAYMENT		500.00	0.00
10/01/2002	C-35185	Total Chg.	10/01/2002 - 10/31/2002	Rentals, Temporary Permits (10/2002)	500.00		500.00
	R-54640		Received: 11/04/2002	CR00019 PAYMENT		500.00	
11/01/2002	C-36643	Total Chg.	11/01/2002 - 11/30/2002	Rentals, Temporary Permits (11/2002)	500.00		1,000.00
	R-56252		Received: 12/02/2002	CR00032 PAYMENT		500.00	
11/04/2002	R-54640	Total Rcpt.		CR00019 PAYMENT		500.00	500.00
12/01/2002	C-38233	Total Chg.	12/01/2002 - 12/31/2002	Rentals, Temporary Permits (12/2002)	500.00		1,000.00
	R-56253		Received: 12/02/2002	CR00033 PAYMENT		500.00	
12/02/2002	R-56252	Total Rcpt.		CR00032 PAYMENT		500.00	500.00
12/02/2002	R-56253	Total Rcpt.		CR00033 PAYMENT		500.00	0.00
01/01/2003	C-39930	Total Chg.	01/01/2003 - 01/31/2003	Rentals, Temporary Permits (01/2003)	500.00		500.00
	R-59025		Received: 01/14/2003	CR00013 PAYMENT		500.00	
01/14/2003	R-59025	Total Rcpt.		CR00013 PAYMENT		500.00	0.00
02/01/2003	C-41591	Total Chg.	02/01/2003 - 02/28/2003	Rentals, Temporary Permits (02/2003)	500.00		500.00
	R-60872		Received: 02/07/2003	CR00009 PAYMENT		500.00	
02/07/2003	R-60872	Total Rcpt.		CR00009 PAYMENT		500.00	0.00
03/01/2003	C-43052	Total Chg.	03/01/2003 - 03/31/2003	Rentals, Temporary Permits (03/2003)	500.00		500.00
	R-63068		Received: 03/10/2003	CR00020 PAYMENT		500.00	
03/10/2003	R-63068	Total Rcpt.		CR00020 PAYMENT		500.00	0.00
04/01/2003	C-44417	Total Chg.	04/01/2003 - 04/30/2003	Rentals, Temporary Permits (04/2003)	500.00		500.00
	R-64874		Received: 04/04/2003	CR00015 PAYMENT		500.00	
04/04/2003	R-64874	Total Rcpt.		CR00015 PAYMENT		500.00	0.00
05/01/2003	C-45888	Total Chg.	05/01/2003 - 05/31/2003	Rentals, Temporary Permits (05/2003)	500.00		500.00
	R-67205		Received: 05/08/2003	CR00010 PAYMENT		500.00	
05/08/2003	R-67205	Total Rcpt.		CR00010 PAYMENT		500.00	0.00

# Tenant Ledger

rp6040

JOHN K. & JUNEDALE HASHIMOTO  
P.O. BOX 22

Date	Ref. #	App To	Billing Period	Description	Charges	Payments	Balance
06/01/2003	C-47444	Total Chg.	06/01/2003 - 06/30/2003	Rentals, Temporary Permits (06/2003)	500.00		500.00
		R-69207	Received: 06/05/2003	CR00043 PAYMENT		500.00	
06/05/2003	R-69207	Total Rcpt.		CR00043 PAYMENT		500.00	0.00
07/01/2003	C-48959	Total Chg.	07/01/2003 - 07/31/2003	Rentals, Temporary Permits (07/2003)	500.00		500.00
		R-72548	Received: 07/08/2003	CR00017 PAYMENT		500.00	
07/08/2003	R-72548	Total Rcpt.		CR00017 PAYMENT		500.00	0.00
08/01/2003	C-50486	Total Chg.	08/01/2003 - 08/31/2003	Rentals, Temporary Permits (08/2003)	500.00		500.00
		R-77260	Received: 09/05/2003	CR00018 PAYMENT		500.00	
09/01/2003	C-51962	Total Chg.	09/01/2003 - 09/30/2003	Rentals, Temporary Permits (09/2003)	500.00		1,000.00
		R-77260	Received: 09/05/2003	CR00018 PAYMENT		500.00	
09/05/2003	R-77260	Total Rcpt.		CR00018 PAYMENT		1,000.00	0.00
10/01/2003	C-53339	Total Chg.	10/01/2003 - 10/31/2003	Rentals, Temporary Permits (10/2003)	500.00		500.00
		R-79730	Received: 10/09/2003	CR00006 PAYMENT		500.00	
10/09/2003	R-79730	Total Rcpt.		CR00006 PAYMENT		500.00	0.00
11/01/2003	C-54794	Total Chg.	11/01/2003 - 11/30/2003	Rentals, Temporary Permits (11/2003)	500.00		500.00
		R-82217	Received: 11/07/2003	CR00010 PAYMENT		500.00	
11/07/2003	R-82217	Total Rcpt.		CR00010 PAYMENT		500.00	0.00
12/01/2003	C-56381	Total Chg.	12/01/2003 - 12/31/2003	Rentals, Temporary Permits (12/2003)	500.00		500.00
		R-84071	Received: 12/03/2003	CR00040 PAYMENT		500.00	
12/03/2003	R-84071	Total Rcpt.		CR00040 PAYMENT		500.00	0.00
01/01/2004	C-58150	Total Chg.	01/01/2004 - 01/31/2004	Rentals, Temporary Permits (01/2004)	500.00		500.00
		R-86431	Received: 01/07/2004	CR00009 PAYMENT		500.00	
01/07/2004	R-86431	Total Rcpt.		CR00009 PAYMENT		500.00	0.00
02/01/2004	C-59590	Total Chg.	02/01/2004 - 02/29/2004	Rentals, Temporary Permits (02/2004)	500.00		500.00
		R-88900	Received: 02/05/2004	CR00009 PAYMENT		500.00	
02/05/2004	R-88900	Total Rcpt.		CR00009 PAYMENT		500.00	0.00
03/01/2004	C-61092	Total Chg.	03/01/2004 - 03/31/2004	Rentals, Temporary Permits (03/2004)	500.00		500.00
		R-91305	Received: 03/12/2004	CR00012 PAYMENT		500.00	
03/12/2004	R-91305	Total Rcpt.		CR00012 PAYMENT		500.00	0.00
04/01/2004	C-62511	Total Chg.	04/01/2004 - 04/30/2004	Rentals, Temporary Permits (04/2004)	500.00		500.00
		R-93118	Received: 04/07/2004	CR00030 PAYMENT		500.00	
04/07/2004	R-93118	Total Rcpt.		CR00030 PAYMENT		500.00	0.00
05/01/2004	C-64073	Total Chg.	05/01/2004 - 05/31/2004	Rentals, Temporary Permits (05/2004)	500.00		500.00
		R-95039	Received: 05/06/2004	CR00017 PAYMENT		500.00	
05/06/2004	R-95039	Total Rcpt.		CR00017 PAYMENT		3,056.00	-2,556.00
05/18/2004	R-95726	Total Rcpt.		CR00055 PAYMENT		2,056.00	-4,612.00
06/01/2004	C-65633	Total Chg.	06/01/2004 - 06/30/2004	Rentals, Temporary Permits (06/2004)	3,556.00		-1,056.00
		R-97897	Received: 06/14/2004	CR00026 PAYMENT		2,000.00	
		R-98764	Received: 06/25/2004	CR00014 PAYMENT		1,556.00	
06/01/2004	R-96955	Total Rcpt.		CR00089 PAYMENT		1,500.00	-2,556.00
06/14/2004	R-97897	Total Rcpt.		CR00026 PAYMENT		2,000.00	-4,556.00
06/25/2004	R-98764	Total Rcpt.		CR00014 PAYMENT		2,000.00	-6,556.00
06/30/2004	C-64737	Total Chg.	M004705 04/30/2004	ADDITIONAL RENT 4/1/04-5/31/04	6,112.00		-444.00
		R-95039	Received: 05/06/2004	CR00017 PAYMENT		2,556.00	
		R-95726	Received: 05/18/2004	CR00055 PAYMENT		2,056.00	
		R-96955	Received: 06/01/2004	CR00089 PAYMENT		1,500.00	
07/01/2004	C-67226	Total Chg.	07/01/2004 - 07/31/2004	Rentals, Temporary Permits (07/2004)	3,556.00		3,112.00
		R-98764	Received: 06/25/2004	CR00014 PAYMENT		444.00	



# Tenant Ledger

rp6040

JOHN K. & JUNEDELE HASHIMOTO  
P.O. BOX 22

Date	Ref. #	App To	Billing Period	Description	Charges	Payments	Balance
		R-100004	Received: 07/06/2004	CR00038 PAYMENT		1,556.00	
		R-100864	Received: 07/26/2004	CR00046 PAYMENT		1,556.00	
07/06/2004	R-100004	Total Rcpt.		CR00038 PAYMENT		1,556.00	1,556.00
07/26/2004	R-100864	Total Rcpt.		CR00046 PAYMENT		2,000.00	-444.00
08/01/2004	C-68673	Total Chg.	08/01/2004 - 08/31/2004	Rentals, Temporary Permits (08/2004)	3,556.00		3,112.00
		R-100864	Received: 07/26/2004	CR00046 PAYMENT		444.00	
		R-102848	Received: 08/16/2004	CR00033 PAYMENT		2,500.00	
		R-103398	Received: 08/24/2004	CR00025 PAYMENT		612.00	
08/16/2004	R-102848	Total Rcpt.		CR00033 PAYMENT		2,500.00	612.00
08/24/2004	R-103398	Total Rcpt.		CR00025 PAYMENT		1,056.00	-444.00
09/01/2004	C-70267	Total Chg.	09/01/2004 - 09/30/2004	Rentals, Temporary Permits (09/2004)	3,556.00		3,112.00
		R-103398	Received: 08/24/2004	CR00025 PAYMENT		444.00	
		R-104981	Received: 09/14/2004	CR00009 PAYMENT		3,000.00	
		R-105960	Received: 09/28/2004	CR00031 PAYMENT		112.00	
09/14/2004	R-104981	Total Rcpt.		CR00009 PAYMENT		3,000.00	112.00
09/28/2004	R-105960	Total Rcpt.		CR00031 PAYMENT		556.00	-444.00
10/01/2004	C-71590	Total Chg.	10/01/2004 - 10/31/2004	Rentals, Temporary Permits (10/2004)	3,556.00		3,112.00
		R-105960	Received: 09/28/2004	CR00031 PAYMENT		444.00	
		R-109957	Received: 11/19/2004	CR00010 PAYMENT		3,112.00	
11/01/2004	C-73055	Total Chg.	11/01/2004 - 11/30/2004	Rentals, Temporary Permits (11/2004)	3,556.00		6,668.00
		R-109957	Received: 11/19/2004	CR00010 PAYMENT		3,556.00	
11/19/2004	R-109957	Total Rcpt.		CR00010 PAYMENT		7,112.00	-444.00
12/01/2004	C-74669	Total Chg.	12/01/2004 - 12/31/2004	Rentals, Temporary Permits (12/2004)	3,556.00		3,112.00
		R-109957	Received: 11/19/2004	CR00010 PAYMENT		444.00	
		R-111283	Received: 12/06/2004	CR00061 PAYMENT		2,000.00	
		R-111968	Received: 12/20/2004	CR00052 PAYMENT		1,112.00	
12/06/2004	R-111283	Total Rcpt.		CR00061 PAYMENT		2,000.00	1,112.00
12/20/2004	R-111968	Total Rcpt.		CR00052 PAYMENT		1,556.00	-444.00
01/01/2005	C-76352	Total Chg.	01/01/2005 - 01/31/2005	Rentals, Temporary Permits (01/2005)	3,556.00		3,112.00
		R-113098	Received: 01/03/2005	CR00103 PAYMENT		3,112.00	
		R-111968	Received: 12/20/2004	CR00052 PAYMENT		444.00	
01/03/2005	R-113098	Total Rcpt.		CR00103 PAYMENT		3,556.00	-444.00
02/01/2005	C-77749	Total Chg.	02/01/2005 - 02/28/2005	Rentals, Temporary Permits (02/2005)	3,556.00		3,112.00
		R-113098	Received: 01/03/2005	CR00103 PAYMENT		444.00	
		R-116308	Received: 02/11/2005	CR00007 PAYMENT		3,112.00	
02/11/2005	R-116308	Total Rcpt.		CR00007 PAYMENT		3,556.00	-444.00
03/01/2005	C-79339	Total Chg.	03/01/2005 - 03/31/2005	Rentals, Temporary Permits (03/2005)	3,556.00		3,112.00
		R-116308	Received: 02/11/2005	CR00007 PAYMENT		444.00	
		R-122430	Received: 04/29/2005	CR00039 PAYMENT		3,112.00	
04/01/2005	C-80753	Total Chg.	04/01/2005 - 04/30/2005	Rentals, Temporary Permits (04/2005)	3,556.00		6,668.00
		R-122430	Received: 04/29/2005	CR00039 PAYMENT		3,556.00	
04/29/2005	R-122430	Total Rcpt.		CR00039 PAYMENT		7,112.00	-444.00
05/01/2005	C-82271	Total Chg.	05/01/2005 - 05/31/2005	Rentals, Temporary Permits (05/2005)	3,556.00		3,112.00
		R-122430	Received: 04/29/2005	CR00039 PAYMENT		444.00	
		R-125378	Received: 06/09/2005	CR00015 PAYMENT		3,112.00	
06/01/2005	C-83867	Total Chg.	06/01/2005 - 06/30/2005	Rentals, Temporary Permits (06/2005)	3,556.00		6,668.00
		R-125378	Received: 06/09/2005	CR00015 PAYMENT		3,556.00	
06/09/2005	R-125378	Total Rcpt.		CR00015 PAYMENT		6,900.00	-232.00
07/01/2005	C-85441	Total Chg.	07/01/2005 - 07/31/2005	Rentals, Temporary Permits (07/2005)	3,556.00		3,324.00

**EXHIBIT "B"** 4 of 7

# Tenant Ledger

rp6040

JOHN K. & JUNEDELE HASHIMOTO  
P.O. BOX 22

Date	Ref. #	App To	Billing Period	Description	Charges	Payments	Balance
		R-125378	Received: 06/09/2005	CR00015 PAYMENT		232.00	
		R-131893	Received: 08/29/2005	CR00050 PAYMENT		3,324.00	
08/01/2005	C-86826	Total Chg.	08/01/2005 - 08/31/2005	Rentals, Temporary Permits (08/2005	3,556.00		6,880.00
		R-131893	Received: 08/29/2005	CR00050 PAYMENT		444.00	
		R-134146	Received: 09/23/2005	CR00030 PAYMENT		3,112.00	
08/29/2005	R-131893	Total Rcpt.		CR00050 PAYMENT		3,768.00	3,112.00
09/01/2005	C-88271	Total Chg.	09/01/2005 - 09/30/2005	Rentals, Temporary Permits (09/2005	3,556.00		6,668.00
		R-134146	Received: 09/23/2005	CR00030 PAYMENT		444.00	
		R-138294	Received: 11/16/2005	CR00008 PAYMENT		3,112.00	
09/23/2005	R-134146	Total Rcpt.		CR00030 PAYMENT		3,556.00	3,112.00
10/01/2005	C-89733	Total Chg.	10/01/2005 - 10/31/2005	Rentals, Temporary Permits (10/2005	3,556.00		6,668.00
		R-142717	Received: 01/17/2006	CR00009 PAYMENT		1,112.00	
		R-138294	Received: 11/16/2005	CR00008 PAYMENT		2,444.00	
11/01/2005	C-91235	Total Chg.	11/01/2005 - 11/30/2005	Rentals, Temporary Permits (11/2005	3,556.00		10,224.00
		R-142717	Received: 01/17/2006	CR00009 PAYMENT		2,444.00	
		R-145950	Received: 02/27/2006	CR00051 PAYMENT		1,112.00	
11/16/2005	R-138294	Total Rcpt.		CR00008 PAYMENT		5,556.00	4,668.00
12/01/2005	C-92774	Total Chg.	12/01/2005 - 12/31/2005	Rentals, Temporary Permits (12/2005	3,556.00		8,224.00
		R-145950	Received: 02/27/2006	CR00051 PAYMENT		1,888.00	
		R-149114	Received: 04/03/2006	CR00065 PAYMENT		1,668.00	
01/01/2006	C-94490	Total Chg.	01/01/2006 - 01/31/2006	Rentals, Temporary Permits (01/2006	3,556.00		11,780.00
		R-149114	Received: 04/03/2006	CR00065 PAYMENT		888.00	
		R-149998	Received: 04/20/2006	CR00019 PAYMENT		1,556.00	
		R-151877	Received: 05/09/2006	CR00011 PAYMENT		1,112.00	
01/17/2006	R-142717	Total Rcpt.		CR00009 PAYMENT		3,556.00	8,224.00
02/01/2006	C-95915	Total Chg.	02/01/2006 - 02/28/2006	Rentals, Temporary Permits (02/2006	3,556.00		11,780.00
		R-151877	Received: 05/09/2006	CR00011 PAYMENT		1,444.00	
		R-154017	Received: 06/01/2006	CR00049 PAYMENT		2,000.00	
		R-156359	Received: 06/30/2006	CR00047 PAYMENT		112.00	
02/27/2006	R-145950	Total Rcpt.		CR00051 PAYMENT		3,000.00	8,780.00
03/01/2006	C-97307	Total Chg.	03/01/2006 - 03/31/2006	Rentals, Temporary Permits (03/2006	3,556.00		12,336.00
		R-156359	Received: 06/30/2006	CR00047 PAYMENT		1,888.00	
		R-158198	Received: 07/24/2006	CR00018 PAYMENT		1,668.00	
04/01/2006	C-98645	Total Chg.	04/01/2006 - 04/30/2006	Rentals, Temporary Permits (04/2006	3,556.00		15,892.00
		R-158198	Received: 07/24/2006	CR00018 PAYMENT		332.00	
		R-162509	Received: 09/05/2006	CR00050 PAYMENT		3,000.00	
		R-165971	Received: 10/16/2006	CR00010 PAYMENT		224.00	
04/03/2006	R-149114	Total Rcpt.		CR00065 PAYMENT		2,556.00	13,336.00
04/20/2006	R-149998	Total Rcpt.		CR00019 PAYMENT		1,556.00	11,780.00
05/01/2006	C-100044	Total Chg.	05/01/2006 - 05/31/2006	Rentals, Temporary Permits (05/2006	3,556.00		15,336.00
		R-165971	Received: 10/16/2006	CR00010 PAYMENT		3,332.00	
		R-166306	Received: 10/23/2006	CR00002 PAYMENT		224.00	
05/09/2006	R-151877	Total Rcpt.		CR00011 PAYMENT		2,556.00	12,780.00
06/01/2006	C-101628	Total Chg.	06/01/2006 - 06/30/2006	Rentals, Temporary Permits (06/2006	3,556.00		16,336.00
		R-166306	Received: 10/23/2006	CR00002 PAYMENT		3,556.00	
06/01/2006	R-154017	Total Rcpt.		CR00049 PAYMENT		2,000.00	14,336.00
06/30/2006	R-156359	Total Rcpt.		CR00047 PAYMENT		2,000.00	12,336.00
07/01/2006	C-103172	Total Chg.	07/01/2006 - 07/31/2006	Rentals, Temporary Permits (07/2006	3,556.00		15,892.00
		R-166306	Received: 10/23/2006	CR00002 PAYMENT		3,556.00	



**Tenant Ledger**  
**rp6040**  
**JOHN K. & JUNEDALE HASHIMOTO**  
**P.O. BOX 22**

Date	Ref. #	App To	Billing Period	Description	Charges	Payments	Balance
07/24/2006	R-158198	Total Rcpt.		CR00018 PAYMENT		2,000.00	13,892.00
08/01/2006	C-104554	Total Chg.	08/01/2006 - 08/31/2006	Rentals, Temporary Permits (08/2006	3,556.00		17,448.00
	R-166306	Received:	10/23/2006	CR00002 PAYMENT		3,556.00	
09/01/2006	C-105984	Total Chg.	09/01/2006 - 09/30/2006	Rentals, Temporary Permits (09/2006	3,556.00		21,004.00
	R-166306	Received:	10/23/2006	CR00002 PAYMENT		3,556.00	
09/05/2006	R-162509	Total Rcpt.		CR00050 PAYMENT		3,000.00	18,004.00
10/01/2006	C-107315	Total Chg.	10/01/2006 - 10/31/2006	Rentals, Temporary Permits (10/2006	3,556.00		21,560.00
	R-166306	Received:	10/23/2006	CR00002 PAYMENT		3,556.00	
10/16/2006	R-165971	Total Rcpt.		CR00010 PAYMENT		3,556.00	18,004.00
10/23/2006	R-166306	Total Rcpt.		CR00002 PAYMENT		21,560.00	-3,556.00
11/01/2006	C-108635	Total Chg.	11/01/2006 - 11/30/2006	Rentals, Temporary Permits (11/2006	3,556.00		0.00
	R-166306	Received:	10/23/2006	CR00002 PAYMENT		3,556.00	
12/01/2006	C-110026	Total Chg.	12/01/2006 - 12/31/2006	Rentals, Temporary Permits (12/2006	3,556.00		3,556.00
	R-170768	Received:	12/06/2006	CR00037 PAYMENT		3,556.00	
12/06/2006	R-170768	Total Rcpt.		CR00037 PAYMENT		3,556.00	0.00
01/01/2007	C-111444	Total Chg.	01/01/2007 - 01/31/2007	Rentals, Temporary Permits (01/2007	3,556.00		3,556.00
	R-173261	Received:	01/19/2007	CR00007 PAYMENT		3,556.00	
01/19/2007	R-173261	Total Rcpt.		CR00007 PAYMENT		3,556.00	0.00
02/01/2007	C-112892	Total Chg.	02/01/2007 - 02/28/2007	Rentals, Temporary Permits (02/2007	3,556.00		3,556.00
	R-175925	Received:	02/21/2007	CR00036 PAYMENT		3,556.00	
02/21/2007	R-175925	Total Rcpt.		CR00036 PAYMENT		3,556.00	0.00
03/01/2007	C-114222	Total Chg.	03/01/2007 - 03/31/2007	Rentals, Temporary Permits (03/2007	3,556.00		3,556.00
	R-178408	Received:	03/22/2007	CR00020 PAYMENT		2,556.00	
	R-180464	Received:	04/18/2007	CR00043 PAYMENT		1,000.00	
03/22/2007	R-178408	Total Rcpt.		CR00020 PAYMENT		2,556.00	1,000.00
04/01/2007	C-115785	Total Chg.	04/01/2007 - 04/30/2007	Rentals, Temporary Permits (04/2007	3,556.00		4,556.00
	R-187611	Received:	07/06/2007	CR00040 PAYMENT		3,556.00	
04/18/2007	R-180464	Total Rcpt.		CR00043 PAYMENT		1,000.00	3,556.00
05/01/2007	C-117138	Total Chg.	05/01/2007 - 05/31/2007	Rentals, Temporary Permits (05/2007	3,556.00		7,112.00
	R-189063	Received:	07/31/2007	CR00041 PAYMENT		3,556.00	
06/01/2007	C-118572	Total Chg.	06/01/2007 - 06/30/2007	Rentals, Temporary Permits (06/2007	3,556.00		10,668.00
	R-193890	Received:	09/26/2007	CR00057 PAYMENT		3,556.00	
07/01/2007	C-120080	Total Chg.	07/01/2007 - 07/31/2007	Rentals, Temporary Permits (07/2007	3,556.00		14,224.00
	R-195216	Received:	10/17/2007	CR00003 PAYMENT		3,556.00	
07/06/2007	R-187611	Total Rcpt.		CR00040 PAYMENT		3,556.00	10,668.00
07/31/2007	R-189063	Total Rcpt.		CR00041 PAYMENT		3,556.00	7,112.00
08/01/2007	C-121327	Total Chg.	08/01/2007 - 08/31/2007	Rentals, Temporary Permits (08/2007	3,556.00		10,668.00
	R-199176	Received:	11/30/2007	CR00048 PAYMENT		3,556.00	
09/01/2007	C-122604	Total Chg.	09/01/2007 - 09/30/2007	Rentals, Temporary Permits (09/2007	3,556.00		14,224.00
	R-201858	Received:	01/09/2008	CR00009 PAYMENT		3,556.00	
09/26/2007	R-193890	Total Rcpt.		CR00057 PAYMENT		3,556.00	10,668.00
10/01/2007	C-123845	Total Chg.	10/01/2007 - 10/31/2007	Rentals, Temporary Permits (10/2007	3,556.00		14,224.00
	R-206203	Received:	02/28/2008	CR00052 PAYMENT		3,556.00	
10/17/2007	R-195216	Total Rcpt.		CR00003 PAYMENT		3,556.00	10,668.00
11/01/2007	C-125098	Total Chg.	11/01/2007 - 11/30/2007	Rentals, Temporary Permits (11/2007	3,556.00		14,224.00
	R-209113	Received:	04/02/2008	CR00021 PAYMENT		3,556.00	

# Tenant Ledger

rp6040

JOHN K. & JUNEDALE HASHIMOTO

P.O. BOX 22

Date	Ref. #	App To	Billing Period	Description	Charges	Payments	Balance
11/30/2007	R-199176	Total Rcpt.		CR00048 PAYMENT		3,556.00	10,668.00
12/01/2007	C-126431	Total Chg.	12/01/2007 - 12/31/2007	Rentals, Temporary Permits (12/2007)	3,556.00		14,224.00
		<del>R-214494</del>	<del>Received: 06/04/2008</del>	<del>CR00049 PAYMENT</del>		<del>3,556.00</del>	
01/01/2008	C-127835	Total Chg.	01/01/2008 - 01/31/2008	Rentals, Temporary Permits (01/2008)	3,556.00		17,780.00
		<del>R-217505</del>	<del>Received: 07/10/2008</del>	<del>CR00008 PAYMENT</del>		<del>3,556.00</del>	
01/09/2008	R-201858	Total Rcpt.		CR00009 PAYMENT		3,556.00	14,224.00
02/01/2008	C-129049	Total Chg.	02/01/2008 - 02/29/2008	Rentals, Temporary Permits (02/2008)	3,556.00		17,780.00
		<del>R-220568</del>	<del>Received: 08/19/2008</del>	<del>CR00019 PAYMENT</del>		<del>3,556.00</del>	
<del>02/28/2008</del>	<del>R-206203</del>	Total Rcpt.		CR00052 PAYMENT		<del>3,556.00</del>	14,224.00
03/01/2008	C-130251	Total Chg.	03/01/2008 - 03/31/2008	Rentals, Temporary Permits (03/2008)	3,556.00		17,780.00
		<del>R-224840</del>	<del>Received: 10/09/2008</del>	<del>CR00004 PAYMENT</del>		<del>3,556.00</del>	
04/01/2008	C-131615	Total Chg.	04/01/2008 - 04/30/2008	Rentals, Temporary Permits (04/2008)	3,556.00		21,336.00
		Balance Due	04/01/2008 - 04/30/2008	Rentals, Temporary Permits (04/2008)	3,556.00		
<del>04/02/2008</del>	<del>R-209113</del>	Total Rcpt.		CR00021 PAYMENT		3,556.00	17,780.00
05/01/2008	C-132878	Total Chg.	05/01/2008 - 05/31/2008	Rentals, Temporary Permits (05/2008)	3,556.00		21,336.00
		Balance Due	05/01/2008 - 05/31/2008	Rentals, Temporary Permits (05/2008)	3,556.00		
06/01/2008	C-134187	Total Chg.	06/01/2008 - 06/30/2008	Rentals, Temporary Permits (06/2008)	3,556.00		24,892.00
		Balance Due	06/01/2008 - 06/30/2008	Rentals, Temporary Permits (06/2008)	3,556.00		
<del>06/04/2008</del>	<del>R-214494</del>	Total Rcpt.		CR00019 PAYMENT		3,556.00	21,336.00
07/01/2008	C-135706	Total Chg.	07/01/2008 - 07/31/2008	Rentals, Temporary Permits (07/2008)	3,556.00		24,892.00
		Balance Due	07/01/2008 - 07/31/2008	Rentals, Temporary Permits (07/2008)	3,556.00		
<del>07/10/2008</del>	<del>R-217505</del>	Total Rcpt.		CR00008 PAYMENT		3,556.00	21,336.00
08/01/2008	C-136990	Total Chg.	08/01/2008 - 08/31/2008	Rentals, Temporary Permits (08/2008)	3,556.00		24,892.00
		Balance Due	08/01/2008 - 08/31/2008	Rentals, Temporary Permits (08/2008)	3,556.00		
<del>08/19/2008</del>	<del>R-220568</del>	Total Rcpt.		CR00019 PAYMENT		3,556.00	21,336.00
09/01/2008	C-138252	Total Chg.	09/01/2008 - 09/30/2008	Rentals, Temporary Permits (09/2008)	3,556.00		24,892.00
		Balance Due	09/01/2008 - 09/30/2008	Rentals, Temporary Permits (09/2008)	3,556.00		
10/01/2008	C-139749	Total Chg.	10/01/2008 - 10/31/2008	Rentals, Temporary Permits (10/2008)	3,556.00		28,448.00
		Balance Due	10/01/2008 - 10/31/2008	Rentals, Temporary Permits (10/2008)	3,556.00		
<del>10/09/2008</del>	<del>R-224840</del>	Total Rcpt.		CR00004 PAYMENT		<del>3,556.00</del>	24,892.00
11/01/2008	C-141066	Total Chg.	11/01/2008 - 11/30/2008	Rentals, Temporary Permits (11/2008)	3,556.00		28,448.00
		Balance Due	11/01/2008 - 11/30/2008	Rentals, Temporary Permits (11/2008)	3,556.00		

CURRENT	1-30	31-60	OVER 60	TOTAL DUE
3,556.00	3,556.00	3,556.00	17,780.00	28,448.00



<u>Month rent owed</u>	<u>Monthly rent charge</u>	<u>Date rent paid</u>	<u>Monthly rent paid</u>
1/1/2007	\$3,556	1/19/2007	\$3,556
2/1/2007	\$3,556	2/21/2007	\$3,556
3/1/2007	\$3,556	3/22/2007	\$2,556
		4/18/2007	\$1,000
4/1/2007	\$3,556	7/6/2007	\$3,556
5/1/2007	\$3,556	7/31/2007	\$3,556
6/1/2007	\$3,556	9/26/2007	\$3,556
7/1/2007	\$3,556	10/17/2007	\$3,556
8/1/2007	\$3,556	11/30/2007	\$3,556
9/1/2007	\$3,556	1/9/2008	\$3,556
10/1/2007	\$3,556	2/28/2008	\$3,556
11/1/2007	\$3,556	4/2/2008	\$3,556
12/1/2007	\$3,556	6/4/2008	\$3,556

**EXHIBIT " B "**

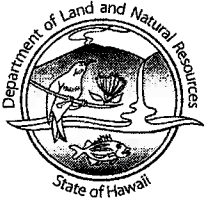
<u>Month rent owed</u>	<u>Monthly rent charge</u>	<u>Date rent paid</u>	<u>Monthly rent paid</u>
1/1/2008	\$3,556	7/10/2008	\$3,556
2/1/2008	\$3,556	8/19/2008	\$3,556
3/1/2008	\$3,556	10/9/2008	\$3,556
4/1/2008	\$3,556		
5/1/2008	\$3,556		
6/1/2008	\$3,556		
7/1/2008	\$3,556		
8/1/2008	\$3,556		
9/1/2008	\$3,556		
10/1/2008	\$3,556		
11/1/2008	\$3,556		
12/1/2008	\$3,556		

EXHIBIT " B "

LINDA LINGLE  
GOVERNOR OF HAWAII



LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

3060 Eiwa Street, Room 205A  
Lihue, Hawaii 96766  
PHONE: (808) 274-3492  
FAX: (808) 241-3535

August 26, 2008

CERTIFIED MAIL

Ms. Junedale Hashimoto  
P.O. Box 22  
Hanalei, HI 96714

Dear Ms. Hashimoto:

Subject: Revocable Permit No. S-6040

By letter dated November 19, 2007, our office notified you that Revocable Permit No. S-6040, as of November 1, 2007 had a delinquency of \$7,112 (over sixty days) and \$3,556 (over 30 days). Based on this delinquency, we did not recommend to the Land Board renewal of your month-to-month revocable permit for the period of January 1, 2008 to December 31, 2008. (Copy enclosed.)

You have continued to occupy the State property without proper authorization. Furthermore, as of August 1, 2008, our fiscal records show your permit is in arrears of \$14,224 for sixty (60) days (for March 1, 2008 to June 30, 2008) or more and \$3,556 for over thirty-one (31) days (for July 1 to 31, 2008). Due to your rental delinquency we have not recommended the renewal of your month-to-month revocable permit to the Land Board.

You have forty-five (45) days upon receipt of this letter to vacate the premises and to completely remove your personal property from the premises, including any improvements that you own and would like to remove. If you have not vacated by this date, we will commence eviction action, including confiscating any items remaining on the premises.

Furthermore, you are expected to leave the premises in a clean and orderly condition. If any clean-up is required upon final inspection of the premises, we will charge any amount owing against your security deposit. If the amount of your security deposit is inadequate to cover these costs, then the amount will be billed to you and, if unpaid, will be sent to a collection agency.

EXHIBIT "C"